

Legislative Platform

2004

sedgwick county government



Sedgwick County...
working for you

sedgwick county

government relations
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Sedgwick County Government Values

accountability

accepting responsibility for our job performances, actions, behavior, and the resources entrusted to us.

commitment

Individual and collective dedication of employees to their jobs and the organization in providing quality services to meet client/customer needs.

equal opportunity

providing a work environment which is fair to all current and prospective employees through equal treatment in employee benefits, promotions, training, continuing education, and daily responsibilities, as well as fair and equitable access for all citizens and consumers of Sedgwick County services.

honesty

truthful, forthright interaction among employees, management, and the public - which fosters trust, integrity and a lasting working relationship.

open communication

the honest exchange and processing of ideas and information with the public, coworkers, staff, other departments, and administration.

professionalism

an individual promoting honesty, respect, pride, positive self image and team effort; adhering to a high standard of ethical conduct, competence, and innovation; and who acknowledges criticism, accepts responsibility, and strives for occupational growth.

respect

consistently demonstrating a deep regard for the diversity, needs, feelings, and beliefs of all people, and acknowledging ideas and opinions of every employee, citizen and consumer.



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Board of Sedgwick County Commissioners

The Legislative Platform is as approved by the Board of Sedgwick County Commissioners, December 10, 2003.



1st district
commissioner dave unruh
2003 - present



2nd district
commissioner tim norton
2001 - present



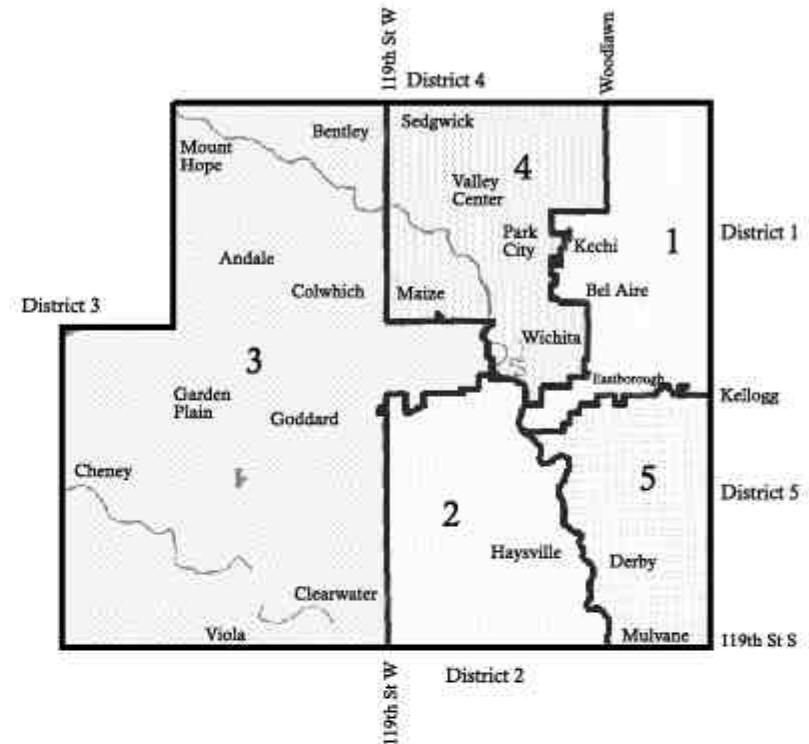
3rd district
commissioner tom winters
1993 - present



4th district
commissioner carolyn mcginn
1999 - present



5th district
commissioner ben sciortino
1999 - present



How can you reach the County Commissioners?

board of sedgwick county commissioners
525 n main suite 320
wichita kansas 67203

p: (316) 660-9300
f: (316) 383-8275



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Legislative Priorities

Priority Initiatives

Priority initiatives are legislative priority issues that will involve the County introducing legislation and/or taking the lead on working such legislation through the legislative process. The following are the priority initiatives for Sedgwick County for the 2004 Legislative Session:

- 1 **Removal of Restrictions for Sale or Disposition of County Property** - K.S.A. 19-211 requires counties to go through a number of procedural steps before selling or disposing of real or personal property. Before property of a value of more than \$50,000 can be sold or disposed of, there must be a unanimous vote of the county commission and a public notice of the sale. There is even a procedure for a petition and referendum to overturn the decision of the county commission. Every piece of property in excess of \$50 must be inventoried and accounted for in an annual published report. Cities are not under similar restraints when disposing of property. These restrictions on counties amount to an unnecessary burden and expense and interfere with the flexibility a large, urban county needs to manage its assets. Sedgwick County strongly urges the repeal of these burdensome restrictions.
- 2 **Fee for Service of Process** - Sedgwick County supports legislation introduced in the 2003 Session (HB 2293) by Sedgwick County Sheriff Gary Steed and the Kansas Sheriffs Association to charge an additional fee for court documents to be served in civil cases. Currently, the Sheriff can charge an additional fee for the service of process of papers originating outside the state of Kansas, but there is no authority to collect a fee for papers served by the Sheriff originating from a court in Kansas. Counties currently receive \$10 from the docket fee for civil cases filed to help defray the costs to a county associated with the filing of a lawsuit, but this doesn't begin to cover the costs to the Sheriff's Department for serving papers associated with the filing of such lawsuits. The resources of the Sheriff's Department need to be used for protecting and aiding the citizens of the County—and the additional funding provided by this fee can help ensure this priority.
- 3 **Solid Waste Fee For Recycling** - Pursuant to K.S.A. 65-3410, cities and counties are authorized to impose a fee on real property to be used to address solid waste programs and disposal costs. Absent from K.S.A. 65-3410 is any authorization for this fee to be used for a recycling program and, under the current definition of "solid waste," recycling programs are specifically excluded. Sedgwick County supports amending K.S.A. 65-3410 to include a recycling program as an authorized use for

this fee. Cities and counties would then be authorized to include recycling as an integral part of their solid waste management program.

Priority Issues

Priority issues are issues that will likely be addressed in the 2004 Legislative Session and are a priority for Sedgwick County. In most cases, these are issues also supported by other lobbying groups, such as the Kansas Association of Counties and the League of Kansas Municipalities. Sedgwick County will assist these organizations in a unified lobbying effort. Sedgwick County's priority issues for the 2004 Legislative Session are as follows:

- 1 **Maintaining Kansas Open Records Act Exemptions** - Pursuant to an amendment to the Kansas Open Records Act in 2000, all exemptions to the disclosure of records under the Act are set to expire on June 30, 2005, unless specifically restored by the Legislature. While Sedgwick County is very supportive of open government and liberal access to public records, the current exceptions to disclosure are important for a number of sound public policy reasons, including safeguarding the privacy of citizens conducting business with the County and allowing for the effective transaction of county business. For these reasons, Sedgwick County strongly supports legislation to restore the exemptions to public disclosure of records currently maintained in K.S.A. 45-221.
- 2 **Banking Services** - Sedgwick County supports legislation that would give cities and counties the option to use any federal or state chartered financial institution for banking services and for the deposit of public funds. Current laws that prohibit cities and counties from investing in certain financial institutions are protectionist and archaic, oftentimes denying municipalities the best services available and denying taxpayers the greatest return on their tax dollars.
- 3 **Ensure State Support For Implementation of New Drug Law** - SB 123, adopted in the 2003 Legislative Session, provided for alternative sentencing for drug offenders. Pursuant to this new law, offenders with no prior violent criminal history would be sent to substance abuse treatment instead of incarceration. Sedgwick County strongly encourages the State of Kansas to fulfill its commitment to fully fund this program. Without such funding there will be a significant impact on the Sedgwick County Community Corrections program because locally governed community corrections agencies are responsible for the supervision of these new offenders. Other significant impacts include more inmates being sent to our county jail and the need for additional treatment programs by COMCARE.



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4. **Increased Taxing Authority** - Sedgwick County supports legislative initiatives that will allow the County the option of collecting additional revenue through local tax initiatives. With the continued revenue shortages at the state level, each year counties are receiving less and less money from the state needed to fund vital county services. Combined with the revenues lost from the State's failure to fund demand transfers last year, the County is placed in the position of either cutting needed services or raising ad valorem property taxes. Sedgwick County needs additional options to raise revenues. Sedgwick County supports amending K.S.A. 12-189(e) and removing the 1% cap on its authority to levy additional sales tax. Since 1985, Sedgwick County has been levying the maximum sales tax of 1% – with half of the money from the sales tax dedicated for road and bridge projects and the other half pledged for property tax relief.

Core Positions

Core positions are policy statements and philosophical positions that the County takes to address a variety of issues that may or may not be addressed in the 2004 Legislative Session. Legislation addressing some of these policy statements or issues may end up becoming a priority issue for Sedgwick County. The following are the core positions for Sedgwick County:

1. **Continued State Funding for Essential County Services** - Each year, the State of Kansas provides funding for essential county services and programs. In many cases this comes as the result of the County taking over services previously handled by the State. For the most part, this partnership between local and state government has worked very well. But, unfortunately, because of the state's recent budget problems, state funding for these programs has been diminishing from year to year, putting counties in the unenviable position of either doing away with needed services or raising property taxes. Sedgwick County supports efforts by the Kansas Legislature to fully fund these programs at existing levels. Some of the programs funded by the state are as follows:
- **Sedgwick County Health Department** - The Sedgwick County Health Department is very dependent on funding from the State of Kansas. Sedgwick County supports the Kansas Association of Local Health Departments (KALHD) recommendation that current levels of funding be maintained. The County is concerned with recent reports that Kansas ranks 45th in the nation in terms of immunization coverage rates. Sedgwick County, in partnership with KALHD, supports initiatives to increase our state coverage rates. Furthermore, as the number of uninsured people continues to increase, the demand for the Department's Infant Care Clinic and Children's Medical

and Dental Clinics continues to rise. Continued state funding is critical to providing these public health services. Also, in accord with the Department of Health and Human Services programs to promote healthier lifestyles to reduce chronic diseases, we request increased funding support for health promotional efforts.

- **Community Corrections Funding** - Community Corrections is a state mandated program that serves a target population of high-risk felony probationers living in the community. Since the program was started, the community corrections population has grown to include more serious criminals. Effective supervision of these criminals living in our community is essential to provide for the public's safety, while continued budget reductions threaten to undermine the mission of this program. The Legislature needs to restore adequate funding for community corrections adult supervision; maintain and increase funding for community corrections adult residential centers; and provide adequate funding to local communities for intervention and graduated sanctions programs and services. The citizens of Sedgwick County deserve to know that these high-risk offenders living in our community are being properly supervised.
- **Juvenile Corrections Funding** - The Juvenile Justice Reform Act passed by the legislature in 1996 and 1997 has resulted in major changes to the state's juvenile justice system. The Act created a state and local partnership to build a comprehensive juvenile justice program. A key component of this legislation was to shift services for certain juvenile offenders away from state institutions to placement in communities. Programs funded by the state include intervention and graduated sanctions. The state also provides funding for residential care providers serving juveniles in the custody of the Juvenile Justice Authority at Level V and Emergency Shelters. Sedgwick County supports full funding for county juvenile corrections programs and restoration of money to the budget to adequately fund juvenile intake and assessment centers. Sedgwick County further supports raising the state per diem rate for residential care providers to cover the actual cost of housing such offenders and to be on parity with the funding given to private contractors.
- **Developmental Disability Services** - There is currently a waiting list for recipients of services for the developmentally disabled: those "unserved," who currently receive no services, and those "underserved," who receive at least one service but need additional necessary services. In Sedgwick County, there are currently approximately 277 people on the 'unserved' list and 251 on the 'underserved' list. Sedgwick County currently funds developmental disability services out of the local mill levy in an amount of just over \$2 million. In addition, for every \$.40 the state of Kansas funds for Medicaid eligible recipients, the federal government matches with \$.60.



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Absent full funding from the State, the list of people needing these necessary services will continue to grow. Additionally, cutting funds will have the effect of lowering the funds we currently receive from the federal government.

- **Community Mental Health Services** - In the 1990's, the Mental Health Reform Act was passed to phase in - over a six-year period - the transfer of patients from state hospitals back to their local communities. This allowed the state to close state hospital beds and alternatively treat persons with mental illness in the community. While this process has the positive benefits of enabling patients to live fuller lives, engage in independent living and seek employment, it also requires local mental health centers to provide necessary mental health services to make this work. Sedgwick County supports providing full funding for mental health services in Sedgwick County.
- **Aging Services** - The Sedgwick County Department on Aging provides the administrative support for the Central Plains Area Agency on Aging. This agency provides vital services for the elderly citizens of Sedgwick, Butler and Harvey Counties - the largest population of older citizens in the State of Kansas. Several programs are funded by state money that provides services to older adults in their homes. The programs include: Home and Community Based Services/Frail Elderly Waiver program and the Senior Care Act program. These programs result in considerable cost savings to the taxpayers of the State of Kansas by keeping older Kansans out of nursing homes and allowing them to remain in their homes.
- 2 **1999 Comprehensive Transportation Program Funding** - With the continuing state budget crisis, there may be significant cuts to the transportation program. The Governor reactivated the Transportation 2000 Committee last year to study this issue. It is important for our region that the transportation program be continued so that local projects, such as the Kellogg expressway and the railroad overpass in Haysville, continue as planned.
- 3 **County Home Rule** - Sedgwick County strongly supports county home rule-which has been afforded to counties by state law since 1974. Local governments should be allowed the largest measure of self-governance based on the belief that government closest to the people is that government which governs best. Sedgwick County opposes legislation that would preempt a county's home rule authority and supports legislation broadening county home powers, including constitutional home rule, if such an Initiative is proposed.

- 4 **Demand Transfers** - Previous to last year, Kansas law provided for millions of dollars of revenues to be remanded to local units of government. These programs included the Special City-County Highway Fund, City-County Revenue Sharing and the Local Ad Valorem Tax Reduction (LAVTR) Fund. In the 2003 Legislative Session, these funds were eliminated from the state budget for State Fiscal Year 2004. Local governments lost over \$100 million as a result of this budget cut. This has the effect of shifting the burden of the cost for essential county services to other sources, including increasing local property taxes. Sedgwick County supports legislation to reinstate and fully fund demand transfers, or in the alternative giving counties an alternative means to collect revenues locally to make up for the loss of these funds.
- 5 **Streamlined Sales Tax and Enactment of Local Use Tax** - Sedgwick County supports efforts by the Kansas Association of Counties and the League of Kansas Municipalities in continuing support for legislation adopted in the 2003 Session that will modernize and streamline the Kansas sales tax law. The enactment of such laws will allow the State of Kansas to join an interstate sales tax compact to compel remote sellers to collect Kansas sales tax. It is equally important that the Legislature keep the local use tax in said legislation to ensure that cities and counties that have locally enacted sales taxes will also be able to collect these taxes as part of internet and mail order transactions.
- 6 **County Treasurer Special Auto Fund** - Sedgwick County supports legislation requiring a county treasurer to be accountable for funds collected and disbursed from the special auto fund-including following a county's purchasing policies and procedures when making such purchases. K.S.A 8-145 allows a county treasurer's use of special auto fund money for, among other things, expenses incidental to the administration of the tag office. Currently under state law, control over expenditures incidental to the special auto fund is vested in the complete control of the county treasurer, and it is clear that no part of the fees are to be considered as part of the county's general fund. Kansas taxpayers have the right to expect that these funds are expended in accordance to purchasing policies and procedures established by a county to avoid the appearance of impropriety and give the public the best use of its tax dollars.
- 7 **Noxious Weed Cost-Share Incentives** - The State of Kansas should not mandate that counties continue to subsidize the sale of weed chemicals for private landowners. K.S.A. 2-1319(d) mandates that landowners may purchase chemical materials from the County in an amount not less than 50%, nor more than 75%, of the total cost incurred by the county in purchasing, storing and handling said chemical materials.



In Sedgwick County this subsidy amounts to around \$20,000 per year. Sedgwick County believes that the decision to establish cost-share incentives for noxious weed control should be left up to each individual county and not mandated by the state.

- 8 **FEMA Rescue Task Force** - Sedgwick County supports enabling legislation to create a standard rescue task force in Kansas modeled after similar programs under the Federal Emergency Management Agency (FEMA). Kansas Task Force One, as it would be called, is an effort to create rapid response search and rescue capability within the State to respond to large or complex catastrophic events. The team would be deployed only after a State and Federal declaration of disaster and operate under the direction of the Adjunct General's Office.
- 9 **Use of Internet Website for Legal Publications** - Sedgwick County supports allowing local governments the option of publishing legal notices on an Internet website. Two bills were introduced last session (SB77 and HB 2085) which would have allowed cities and counties the option of putting legal notices on an Internet website. Sedgwick County could save \$75,000 a year if this law was passed.
- 10 **Jail Overcrowding** - Sedgwick County supports legislative efforts to ease overcrowding in the Sedgwick County jail and opposes efforts by the State Department of Corrections to shift inmates that belong in the state correctional system to county jails. This problem has posed a significant financial burden in recent years because of suspended or delayed payments to counties for housing state prisoners. Shifting inmate populations to county jails is in effect an unfunded mandate. Sedgwick County is in the formal process of considering yet another expansion of the jail. The burden of the expense for another jail expansion falls squarely on the citizens of Sedgwick County and could result in an increase in local property taxes.
- 11 **Unfunded State Mandates** - Sedgwick County opposes any effort by the Legislature that creates an unfunded mandate on counties. If the State deems it necessary to control or manage how counties operate, then sufficient funds should be provided to meet the cost of imposing such regulations on counties.
- 12 **Tax Equity for Funding Enhanced 911 Services** - Sedgwick County supports legislative efforts to impose a tax on wireless phones to be used to fund E-911 services similar to that in current law establishing such a tax on non-cellular telephone service. Sedgwick County opposes centralized control of the E-911 system and also opposes allowing any portion of these tax funds going to the cellular phone industry.

- 13 **Open Meetings Laws** - Sedgwick County believes strongly in open government. But for sound reasons, the Kansas Open Records Act provides certain exceptions to complete openness with the aim of promoting effective government—primarily in the form and use of executive sessions. Sedgwick County opposes any restrictions on board of county commissioners meetings in executive session in compliance with current law.
- 14 **Tax Lids** - Sedgwick County believes that the citizens of this County, through their duly elected county commissioners, are fully capable of making responsible spending decisions and enacting budgets without state imposed limitations. Local government officials are in the best position to determine the appropriate level of spending for vital services in their communities. Sedgwick County therefore opposes any attempt by the legislature to mandate such spending limitations.
- 15 **Fence Viewing Statutes** - Current state statutes (K.S.A. 29-21 et seq.) require board of county commissioners to serve as fence viewers in certain disputes involving landowners. These statutes date back to the late 19th century and early 20th century and are clearly out of step with the role of a county commissioner in an urban county. Sedgwick County supports legislation that gives counties the option of appointing other county officials as fence viewers at the discretion of board of county commissioners.
- 16 **Rights-of-Way Management** - Local government should not be restricted from managing public rights-of-way in its best interest and for the protection of its citizens. Sedgwick County opposes any attempt to restrict counties' authority in public rights-of-way including the collection of franchise fees and/or the ability to enter into franchise agreements.
- 17 **Nuisance Abatement Authority for Counties** - Sedgwick County supports legislation that would give counties the authority to enforce county regulations providing for the general health and safety of the county by the adoption of resolutions to prevent, abate and remove nuisances. As part of the nuisance abatement process, counties should have the authority to provide for the assessment of the costs for removing the nuisance against the property in which the nuisance is contained.
- 18 **Consolidation of Correctional Field Services** - Sedgwick County opposes any statewide mandate to consolidate correctional field services. The Kansas Sentencing Commission periodically considers introducing legislation that would create a new state agency to administer correctional field services. Sedgwick County supports the current system that allows local communities to decide whether to consolidate or not.



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2004 Sedgwick County Legislative Platform

- 19 **Restrictions on Franchising Trash Hauling Services** - Sedgwick County opposes legislation that would attempt to limit a county's authority to franchise trash hauling services by requiring a county to give anything but reasonable notice that such action is to be taken or would require that a county pay the fair market value of a trash hauler's business.
- 20 **Local Option for Expanded Gaming** - Sedgwick County supports legislation that would give local citizens the right to vote on whether or not there should be expanded gaming in counties in the form of slot machines and other video gaming. In the event the Legislature supports expanded gaming, counties where such gaming is created should share in a percentage of the revenues derived from such gaming.
- 21 **Solid Waste Management** - Sedgwick County opposes any restrictions to a county's authority to manage its solid waste through an effective planning and monitoring system.
- 22 **Retain Existing Structure of CDDOs** - Sedgwick County supports continuation of the local designation of CDDOs by boards of county commissioners, as well as local determination of the appropriate service structure for services to developmentally disabled citizens.
- 23 **Retain Current Motor Vehicle Sales Tax Situs** - Sedgwick County opposes changing the situs of sales tax on motor vehicles from the point of purchase to the point of registration. Such a change would redistribute significant sales tax revenue away from cities and counties that have a number of car dealerships, such as Sedgwick County, to the rural areas of the state. Estimates indicate that this change would cost Sedgwick County and the cities within the County \$1.5 million per year.

Helpful Sedgwick County Phone Numbers

aging, information & assistance	660-5120
animal control	660-7070
appraiser	383-8200
board of county commissioners	660-9300
code enforcement	383-7951
comcare of sedgwick county	660-7600
county clerk	660-9222
county communications	660-9370
county manager	660-9393
department of corrections	383-7003
district attorney	383-7281
election commissioner	660-7100
emergency medical service	660-7994
environmental resources	660-7200
fire department	744-0471
health department	660-7300
housing	383-7433
noxious weeds	660-7464
planning department	268-4421
register of deeds	660-9400
sheriff's department	383-7264
treasurer	660-9110



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